

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

EDWARD R. FLYNN, GENE DAISEY,)	
DOUGLAS ABBOTT, and CATHERINE)	CIVIL ACTION
Hosick, individually and on behalf of all others)	
similarly situated,)	CLASS ACTION
)	
Plaintiffs,)	
)	No. 2:17-cv-04806-WB
v.)	
)	
MANUFACTURERS AND TRADERS TRUST)	
COMPANY a/k/a M&T BANK)	
)	
Defendant.)	

**PLAINTIFFS' MOTION TO COMPEL
DISCOVERY AND IMPOSE SANCTIONS**

AND NOW COMES Plaintiffs, by and through their undersigned counsel, hereby move the Court to Compel Discovery and Impose Sanctions as more fully detailed in the contemporaneously filed brief incorporated herein.

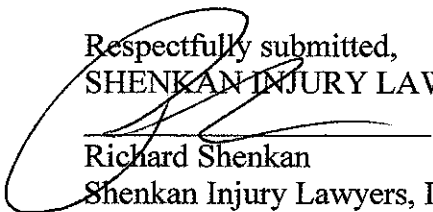
WHEREFORE, Plaintiffs request the Court provide the following relief which is described in detail in the accompanying Brief:

- a. Require the Bank to fully comply with the Court's discovery orders, including the December 4, 2017, January 11, 2018, and April 13, 2018 orders;
- b. Striking the Bank's objections to Plaintiffs' First Set of Post Removal Discovery and compel full and complete answers without objection;
- c. Strike the Bank's privilege log, compelling the Bank to produce all documents set forth in the non-compliant privilege log;
- d. Produce unredacted versions of the 19,667 blank pages in its native formats;
- e. Barring the Bank from asserting any defense such as recoupment or setoff or any counterclaim based on deficiencies resulting from the sale of class members' vehicles for less than what was still owed on them;
- f. Deem the Bank's equivocal denials to paragraphs 37, 38, 43-45, 53, and 59 of

Plaintiffs' Second Amended Complaint as admissions; and,

g. Other relief which is appropriate and just as ordered by the Court.

Respectfully submitted,
SHENKAN INJURY LAWYERS, LLC.


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CERTIFICATE OF SERVICE

I do hereby certify that I caused a true and correct copy of the foregoing pleading was sent by first class mail, postage prepaid, upon all counsel for the Defendant on September 22, 2018.

SHENKAN INJURY LAWYERS, LLC.


Richard Shenkan